

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-6. (canceled)

7. (currently amended): A method of selecting subjects suffering from a proliferative disease for treatment with an mTOR inhibitor and a cytotoxic agent, said method comprising determining the sensitivity of the proliferative disease to the treatment in said subjects by determining the presence of the wild type p53 (TP53) gene, a mutated p53 (TP53) gene, or the absence, deficiency or deletion of the p53 (TP53) gene and/or the level of expression/post-translational modification of p53 in a sample derived from the subject, the method described in claim 3, and selecting said subjects showing wild-type p53 (TP53) status for treatment.

8. (currently amended): A method according to claim 3 7, wherein the mTOR inhibitor comprises rapamycin or a rapamycin derivative.

9. (previously presented): A method according to claim 8, wherein the rapamycin derivative comprises 40-O-(2-hydroxyethyl) rapamycin, 40-[3-hydroxy-2-(hydroxymethyl)-2-methylpropanoate]rapamycin or 40-epi-(tetrazolyl)-rapamycin.

10. (currently amended): A method according to claim 3 7, wherein the cytotoxic agent is selected from an antineoplastic antimetabolite, a platin compound, an alkylating agent, a topoisomerase I or II inhibitor, a microtubule active agent and irradiation.

11-13. (canceled)

14. (previously presented): A method for overcoming resistance to a cytotoxic agent in a subject treated with said cytotoxic agent, comprising

- determining the level of p21 expression in a sample derived from the subject,
- if p21 expression is upregulated after administration of a cytotoxic agent, administering to said subject an mTOR inhibitor in combination with the cytotoxic agent,

- determining again the level of p21 expression in a new sample derived from the subject after the treatment with the combination of the mTOR inhibitor and the cytotoxic agent, and
- if p21 expression is downregulated, further treating the subject with the mTOR inhibitor either concomitantly or sequentially with said cytotoxic agent.